

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

SUSAN HERBERT :
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 Plaintiff :
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 v : Civil Action No. RDB-07-2417
 :
 THE UNITED STATES OF AMERICA :
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 Defendant :
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MEMORANDUM OPINION

The above-captioned civil rights complaint was filed on September 12, 2007, together with a Motion to Proceed in Forma Pauperis, a Motion to Proceed as an Emergency, a Motion to Be Heard in the Supreme Court, and a Motion to Commence a Runoff Election. Paper No. 2. Because she appears to be indigent, Plaintiff's Motion to Proceed in Forma Pauperis shall be granted. All remaining motions will be denied and the complaint will be dismissed.

Plaintiff, a resident of Neptune, Florida, files this action on her own behalf and on behalf of her minor sons. Paper No. 1. The complaint consists of six pages of Plaintiff's political opinions regarding the right to vote, the war in Iraq, the 2000 presidential election, and the Supreme Court's decision in *Bush v. Gore*, 531 U.S. 98 (2000). *Id.* She claims entitlement to an immediate runoff election with the current president based on her belief that the government is corrupt. *Id.*

Upon review of the dockets of other United States District Courts, it was established that Plaintiff has filed similar complaints in numerous other jurisdictions. *See Herbert v. United States of America*, Civil Action No. 2:07-3012-PMD-GCK (D. S.C. 2007); *Herbert v. United States of America*, Civil Action No. 3:07-776-JHM-MCR (M.D. FL. 2007); *Herbert v. United States of America*, Civil Action No. 1:07-fp-281 (D. N.H. 2007); *Herbert v. United States of America*, Civil Action No. 1:07-909-LEK-DRH (N.D. N.Y. 2007); *Herbert v. United States of America*, Civil

Action No. 4:07-121-JDT-WGH (S.D. In. 2007); *Herbert v. United States of America*, Civil Action No. 1:07-532-UNA (D. Del. 2007); and *Herbert v. United States of America*, Misc. No. 1-07-mc-8016 (D. Or. 2007).

Plaintiff states she has been ignored by many judges and courts. Paper No. 1. The actions she has filed in other jurisdictions have been dismissed as frivolous. The claims she raises have been correctly characterized as clearly baseless and reliant upon meritless legal theories. *See Herbert v. U.S.A.*, Civil Action No. 3:07-776-JHM-MCR (M.D. Fl. 2007) (Paper No. 6); *see also Herbert v. U.S.A.*, Civil Action No. 2:07-3012-PMD-GCK (D. S.C. 2007) (Report and Recommendation). Plaintiff has no cognizable right to demand a run-off election, nor has she presented this court with a case or controversy over which jurisdiction may be exercised. Where, as here, a party is “raising only a generally available grievance about government-claiming only harm to his and every citizen's interest in proper application of the Constitution and laws, and seeking relief that no more directly and tangibly benefits him than it does the public at large- [the claim] does not state an Article III case or controversy.” *See Lujan v. Defenders of Wildlife*, 504 U.S. 555, 573– 74 (1992).

Accordingly, by separate Order which follows, the Complaint will be dismissed.

October 10, 2007
Date

/s/
RICHARD D. BENNETT
UNITED STATES DISTRICT JUDGE